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2—3:40 Class  
3—4:20 Class  
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6—3/4-mile Dash  
7—1-mile Dash

All harness races under National  
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Entries close at 4 p. m. Friday, Au-  
gust 31st, at the Club Stables.

Races start at 1 p. m.

M. H. DIGGS,  
Secretary Honolulu Driving Asso-  
ciation.

5432

## DECISIONS NOW FILED

Two Cases are Formally  
Adjudicated.

**CHINATOWN INSURANCE**

Judge Silliman Gives the Written  
Findings in Yee Wo Chan  
Suits.

The formal decisions in the two Chinatown insurance cases which were decided by Judge Silliman some weeks ago, were filed on Saturday. They were in the cases of Yee Wo Chan Company vs. the Magdeburg Fire Insurance Company and the Trans-Atlantic Fire Insurance Company.

The decision in the former case is as follows:

"This is an action of assumpsit brought upon a contract of insurance in which the plaintiff seeks to recover from the defendant the sum of \$5,000, the amount of the policy.

"And that the plaintiffs are co-partners doing business as merchants in Honolulu under the firm name of Yee Wo Chan & Co., and that the defendant is a corporation, incorporated under the laws of Germany, and engaged in the fire insurance business. The evidence shows that the plaintiffs and defendant on the 25th day of October, 1899, entered into a contract whereby the defendant insured against direct loss or damage by fire, subject to certain exceptions set forth in the policy, the merchandise contained in the two-story building situated on the east side of Maunakea street, near King street, in Honolulu, occupied by the insured as a store.

"The policy contains the following clause: 'This company shall not be liable for loss caused directly or indirectly by invasion, insurrection, riot, civil war or commotion, or military or usurped power, or by order of any civil authority.'

"It appears that during the recent epidemic of bubonic plague which visited this city the Board of Health inspected the locality bounded by Kukui, Nuuanu and Beretania streets, and the Kaunakapili Church premises and a line drawn in continuation thereof to Kukui street, and passed a resolution on January 10, 1900, declaring that said locality was in an insanitary condition and infected by bubonic plague; that the infection could not be removed by any means but fire, and ordering that the buildings within the boundaries be destroyed by fire. In pursuance with said resolution Dr. C. B. Wood, president of the Board of Health, on January 19th, issued an order to Andrew Brown, commissioner, directing him to burn said buildings.

"Acting under this order the fire commissioner caused the fire to be started in one of the said condemned buildings and under the supervision of the Honolulu fire department on the morning of January 20th, the fire having been so started accidentally spread to the Kaunakapili Church edifice and thence through several blocks of buildings to the water front, including the stores of plaintiffs and the goods therein contained.

"And that there was only a moderate breeze blowing at the time, and that no new cause intervened between the setting of the fire under the orders of health authorities and the burning of the merchandise by the policy in question.

"The original fire set near the Kaunakapili Church as aforesaid was the proximate cause of the destruction of plaintiffs' property. It was, in fact, the same fire. The plaintiffs' loss was the direct result of the order of the civil authority, i. e., the Board of Health, and the acts of another authority, the officials of the fire department.

"Counsel for plaintiffs contend that in order to avoid liability the defendant must show that the order of the civil authority was lawfully made; they claim that there is no evidence to show that the order of the Board of Health was legally made, and further urge that the Board had no authority to destroy the said buildings it had condemned and ordered burned.

"The evidence shows, however, that the Board of Health was acting in good faith in the premises and passed the said resolution and issued the said order in its attempt to stamp out the epidemic then prevailing, and that the fire department acted in like good faith in pursuance of said order.

"It is sufficient that the action was taken and the order issued bona fide, and without going back of the order, to ascertain whether or not the Board of Health was acting within the scope of its legal authority in making the said order, I hold that the loss was the direct result of the order of the civil authority within the meaning of the above quoted clause of the policy.

"Let judgment be entered for the defendant."

**LIBELS AGAINST VESSELS.**

Libel suits against various vessels in port occupied Judge Estee's attention in the Federal Court on Saturday.

The Enterprise case was the first to be considered. Fred Burke, one of the sailors, was the complainant, and he objected to the treatment he had received on board, showing by Dr. Wayson, as well as some of his fellow sailors something of the troubles he had undergone. The case went over until Tuesday.

A \$500 bond was filed by the representative of the bark Empire, which had been attached by her former crew for wages due them. The vessel got off on Saturday. The case is to be taken to the Circuit Court of Appeals.

Jury indicted Avery, and his case was tried in the Circuit Court, and he was dismissed, the case being taken from the jury by Judge Silliman.

**TERM OF COURT EXTENDED.**

The anticipated order of Judge Humphreys extending the August term of the Circuit Court for twelve days, was filed on Saturday. It is as follows: By virtue of the authority in me vested by law and deeming it required by public justice, I do order that the present August term of this court be extended for the period of twelve days.

**KITCHENER'S ADVENTURE.**

**Strong Man of British Army and His Perils in Egypt.**

It is no exaggeration of public opinion to say that in Lord Kitchener rests much of the country's hope that a different complexion will be speedily put on the state of affairs in South Africa. Recent events have demonstrated that a strong man is wanted there. Lord Kitchener is a strong man. A great authority has pronounced him as "the most prominent man in the British army." He has certainly done much in recent years, and done it all well. He is a living contradiction of the saying that "a man who never makes a mistake never makes anything." Lord Kitchener has yet to make his mistake, albeit he has made much.

Lord Kitchener's career in Egypt was an unbroken succession of triumphs. He had some of the most difficult problems to tackle, and he overcame them all, his crowning achievement being the smashing up of Mahdism at Admura. Throughout that campaign he proved himself a commander, an organizer and a strategist of the finest quality, although it is none too often that a combination of these qualities is found in one man. Lord Salisbury has described him as "a singular master of desert warfare."

Cool, daring, resourceful and possessed of a wonderful power of self-restraint, Lord Kitchener is the very man for the position he will fill in South Africa. He is not the soldiers' idol that Lord Roberts, his great chief, is, because Kitchener never spares his men, nor, for that matter, does he spare himself. Once a project is afoot, once a goal is to be reached, Kitchener means to get there. He does not consider the mere comfort of his men. Each unit he looks upon as part of a vast machine, which must not stop until he gives the order. If anything interferes with the smooth working of that machine it must be removed immediately. He has been known to dispense with the services of men who for years have worked under him well and faithfully until some temporary indisposition has laid them low. They were no longer of use, so they had to go.

It is hardly to be wondered at that a man of this hard, cold, calculating disposition is not loved, and "Tommy" will never make a "pet" of Lord Kitchener. But he admires him and places implicit faith in his judgment, and would follow him wherever he chose to go. And what more would a commander have? An authority who was with Kitchener in the Sudan, wrote of him: "It appears to be the sirdar's policy to advance deliberately step by step, to make his position secure after each step before venturing on another, to run no unnecessary risks, but at the right moment to strike hard with unexpected suddenness, and to follow up the blow with energy." Lord Kitchener is obviously the right man in the right place in South Africa.

Every soldier hopes for a "chance," and many have in vain. Kitchener's chance came in 1882, when the rising tide of Mahdism threatened to sweep from end to end of the Sudan. But it was suspected that the false prophet's successes were being exaggerated, and young Kitchener was deputed to make investigations and report. He dressed himself as an Arab trader and entered Omdurman, taking his life in his hand. He went among the wild tribes and treacherous pachas, who, had they once penetrated his disguise, would have shown him little mercy. One day he witnessed an execution of a supposed spy in the town. The poor wretch was subjected to such torture that Kitchener procured a tiny phial of cyanide of potassium, which he concealed about his person. As he subsequently remarked to a brother officer, "Death at their hands I did not fear—in fact, I expected it. But such a death!"

For two years Kitchener lived under such conditions, never knowing when he might be brought face to face with a violent death, but all the while communicating to the heads of the Egyptian intelligence department information of the utmost importance regarding the Mahdi and his movements. So strictly was his identity preserved that the British troops did not know him, and a "Tommy" on one occasion flung a brickbat at the brave young officer, whom he mistook for a "blooming nigger." The blow inflicted a rather nasty scalp wound, and had the additional result of creating a proverb, "Throw a stone at a nigger and you'll hit the sirdar."

Now that the Roentgen rays are being employed with satisfactory results in our hospitals, it is improbable that any officer will have such an experience as befell Kitchener about this time. During a skirmish near Suakin Major Kitchener was hit in the side of the face by a stray bullet. The missile made a clean wound, which soon healed, but the bullet itself could not be found.

In those days, of course, the X rays had not been discovered, and the doctors had not the aid of the wonderful apparatus in their search for the missing bullet. Eventually they came to the conclusion that, unknown to the patient, it had worked itself out and been lost. A member of the medical staff corps, Sergeant Bilton, was in attendance on the injured officer, whom he one day induced to eat a beefsteak. In the midst of the meal Major Kitchener stopped suddenly. "Bilton," he said, "if there was no bone in that steak, I've swallowed that bullet."

Adventures by the score happened to Kitchener in the exciting role of detective of spies. On one occasion two suspected Arabs were brought into the British camp and confined in the guard tent. Shortly afterward they were joined by a third. The trio held an animated conversation for some minutes, and then, much to the astonishment of the sentry, the latest arrival stopped forward and said in indubitable English: "All right, sentry; I'm going to the general. The third prisoner was Kitchener, who, by this daring ruse, coupled with a perfect knowledge of native languages, confirmed the suspicion that the fellows were dangerous spies. They were promptly shot.

Perhaps the most striking trait in Lord Kitchener's character is his disinclination to put a married man in a position of responsibility under him. He appears to hold the opinion that matrimony interferes with business. He backs up his precept by example, for, as everybody knows, Lord Kitchener is a bachelor. Like many a notable personage before him, he does not shine in the society of women. It is related that on one occasion he was presented to a certain well-known countess at Cairo, and opened the conversation by asking: "Do you find Cairo nice at this season of the year?" "Delightful," she replied. "There was a pause of five minutes, during which Kitchener tugged thoughtfully at his mustache. Then he said: "Ah, I am glad." Lord Kitchener does not claim to be "a ladies' man."—London Mail.

**BY NO MEANS.**

He—"An' wuz de bride or de groom nairvous?"  
She—"Wal, I guess not! Dey done a cake walk down de aisle!"

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